

BACKGROUND

The Rocky Flats Cleanup Agreement (RFCA) is the legally binding agreement between the Department of Energy, the Environmental Protection Agency and the Colorado Department of Public Health and Environment to accomplish the required cleanup of radioactive and other hazardous substances contamination at and from the Rocky Flats Environmental Technology Site. All contaminated buildings will be decontaminated as required for future use or demolition; unneeded buildings will be demolished.

In accordance with the RFCA agreement's administrative requirements decommissioning and demolition of buildings must be conducted following a decision documents which are subject to an approval of the Lead Regulatory Agency. Decision documents authorized by the RFCA include: Interim Measures/Interim Remedial Actions; Proposed Action Memorandums; Decommissioning Operations Plan (Buildings 371, 771, 776/777, 707 and 991); RFCA Standard Operating Protocols; and RCRA Closure Plans. The Decision Document associated with the D&D of Building 123 is a PAM. In accordance with RFCA, a draft PAM was prepared and submitted to CDPHE for review and comment and simultaneously made available for a thirty-day public comment period. Within two weeks of the close of the public comment period (July 3, 1997) a response to comments document was prepared and comments, as appropriate were incorporated into the PAM. This revised PAM was submitted to DOE for final review and submittal to the State within the prescribed two week window. Unfortunately the PAM has not been subsequently submitted to the State and is in Bill Fitch's office pending final review.

SUMMARY OF POTENTIAL SHOWSTOPPERS

1. The Project Manager does not have an approved 123 PAM. D&D work on Building 123 could commence only if one of the following actions occurs:

- CDPHE signs the 123 PAM; or
- Authorization by DOE/Kaiser-Hill/RMRS upper management to commence work is received. This authorization could only be approved on an acceptable risk basis.

The most appropriate "path forward" at this time is for DOE to complete its review and final approval and subsequently submit the 123 PAM to the State for signature. These actions should be completed "as soon as possible."

BACKGROUND

RCRA Unit 40 is an interim status RCRA unit that is defined as a process waste system that includes tanks, sumps, and pipelines. This unit underlies many of the buildings at Rocky Flats including Building 123. A RCRA closure plan for that portion of this unit that underlies Building 123 is required. A RCRA Closure Plan was not included in the 123 PAM, therefore a separate "decision document" must be prepared. This plan must follow CDPHE regulations which requires public notice and a signed /approved Closure Plan prior to commencement of operations. A draft Closure Plan has been prepared by RMRS and will be submitted to Kaiser-Hill for review. Upon approval this document will be submitted to DOE for review. When a final Closure Plan is approved, this plan will be simultaneously submitted to CDPHE and made available for public comment. After the public notice period, all comments will be responded to and/or adopted and a revised plan submitted to CDPHE for approval.

POTENTIAL SHOWSTOPPERS:

4. The Project Manager does not have an approved RCRA Closure Plan for RCRA Unit 40. Can the Project Manager remove the above ground portions of RCRA Unit 40 without having an approved Closure Plan?
- Authorization to commence Closure activities prior to State approval could be made by DOE/Kaiser-Hill/RMRS upper management on an acceptable risk basis. Discussions with RMRS General Council, Linda Guinn supports this option, (based on the following data):
 - The above ground portions of the RCRA Unit 40 system in Building 123 were completely replaced in 1989. Since that time, only D002 wastes have been managed in this system (acids and bases). As such, a strong argument could be made that this portion of the RCRA Unit 40 is an Elementary Neutralization Unit and has been incorrectly included in the RCRA Unit 40 description. Elementary Neutralization Units are excluded from the RCRA tank and closure requirements. Discussions with the State (Chris Gilbreath) indicate that the State would prefer that both the above ground and below ground portions of the process waste system be included in the RCRA Closure Plan. However, with appropriate documentation of waste disposal (verifying

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ADMINISTRATIVE

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A routine and emergency Contingency Plan has been established and implemented.

The site-wide RFETS emergency operations plan is in place for the entire site. Routine training on proper response to emergencies is mandatory. In addition, 40 CFR Subpart D requires that owners and operators of hazardous waste facilities (interim status tank systems) prepare a contingency plan. The purpose of this plan is to minimize hazards to human health or the environment from fires, explosions, or any unplanned sudden or non-sudden release of hazardous waste or hazardous waste constituents to air, soil, or surface water. The specific requirements for this Contingency Plan are found in 40 CFR 265.52-265.56. A RCRA Contingency Plan has not been developed for this project. Doug Steffen stated that he would have a Contingency Plan written for this project. I recommend that work on the RCRA Closure portion of the 123 Building be suspended until such a plan is developed.

Environmental Monitoring

Not Required for CF
CF

Contingency Plan
Approved in Dec 1991
Required under RCRA

Initials

Kenneth Jenkins
10 Sec
5374

Tim Hamiston
3:14 p.m.
2700
850 pager

3:23 p.m. 7/31
John Walsh
HOLLAND & Hart
3 295 8562

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